

AUSTIN, November 20, 1850.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Bee, Bryan, Crump, Fields, Gillet, Lewis, Owen, Polk, Runnels, Shepard, Stewart and Winfield.

Journal of yesterday read and adopted.

Mr. Tarrant submitted the petition of citizens of Henderson and Kaufman counties, praying a change of the boundary lines of Henderson county; referred to the committee on Counties and County Boundaries.

Mr. Tarrant submitted the petition of Micajah Goodwin, praying for relief; referred to the committee on Private Land Claims.

Mr. Bogart submitted the petition of Wm. P. Burnes and John A. Burnes, praying for relief; referred to the committee on Private Land Claims.

Mr. Bogart submitted the petition of Thomas Rattan, praying for relief; referred to the committee on Private Land Claims.

Mr. Charlton, chairman of the committee on County Boundaries, made the following report:

COMMITTEE ROOM, November 20, 1850.

HON. C. G. KEENAN,

Speaker of the House of Representatives:

The committee on County Boundaries, to whom was referred the petition of the citizens of Denton county, praying the establishment of their county seat, have had the same under consideration and have instructed me to report the accompanying bill, and recommend its passage.

Report and bill laid on the table, to come up among the orders of the day.

Mr. Hendricks introduced a bill to require the judges of the District Courts of the State to alternate in holding the courts in their respective districts; rule suspended, and bill referred to the Judiciary committee.

Mr. Stapp introduced a bill for the benefit of certain persons therein named; read first time.

On motion of Mr. Franklin, the rule was suspended, bill read second time, and referred to the committee on the Public Debt.

On motion of Mr. Clements, Mr. Wigfall was added to the Joint Select committee on the Governor's Message.

On motion of Mr. Shepard, Mr. Hunt was added to the committees on Claims and Accounts, State Affairs and Federal Relations.

On motion of Mr. Lloyd, the House proceeded to the orders of the day, and to the business on the Speaker's table.

ORDERS OF THE DAY.

A resolution to change the order of business; read second time.

On motion of Mr. Dickson, a call of the House was ordered.

On motion of Mr. Scott, a further call was suspended.

On motion of Mr. Runnels, the resolution above referred to was laid on the table for one hour.

A bill to incorporate Fayette Academy, in the county of Fayette; read second time; and on motion of Mr. Russell, laid on the table for the present.

On motion of Mr. Clements, the House adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

House met pursuant to adjournment—roll called—quorum present.

A resolution changing the order of business being the special order.

Mr. Bryan offered the following amendment: after the word "therewith," in fourth line, insert "and regulating the election of Judges of the Supreme Court."

Mr. Taylor of Cass offered an amendment to Mr. Bryan's amendment, as follows: "and the organization of the Supreme Court of the State of Texas;" which was rejected.

On motion a call of the House was ordered.

On motion, a further call was suspended.

Mr. Lott offered the following amendment to Mr. Bryan's amendment: "and the appointment of an Attorney General in cases where the present Attorney cannot act;" adopted.

The question then being taken upon the adoption of Mr. Bryan's amendment as amended, was carried.

Mr. Stapp moved to lay the resolution upon the table; upon which motion the yeas and nays were called, and stood as follows:

Yeas—Messrs. Speaker, Bogart, Clements, Cochran, Crump, Franklin, Hendricks, Lloyd, Lott, Owen, Russell, Selman, Shepard, Smith of Red River, Smith of Shelby, Stapp, Tarrant, Taylor of Harrison, Wigfall and Williams—20.

Nays—Messrs. Bryan, Burney, Charlton, Dickson, Hardeman of Nacogdoches, Hardeman of Travis, Holland, Hunt, Johnson, Jowers, McKinney, Patrick, Polk, Reynolds, Runnels, Scott Shaw, Speights, Sterne, Stewart, Taylor of Cass and Wren—22.

So the motion to lay on the table was lost.

Mr. Holland, moved the adoption of the resolution, upon which the yeas and nays were called for and stood as follows:

Yeas: Messrs. Speaker, Bryan, Burney, Charlton, Dickson, Hardeman of Nacogdoches, Hardeman of Travis, Hendricks, Holland, Hunt, Johnson, Jowers, McKinney, Reynolds, Runnels, Scott, Shaw, Speights, Stewart, Taylor of Cass and Wren.—21

Nays: Messrs. Bogart, Clements, Cochran, Crump, Franklin, Lloyd, Lott, Owen, Patrick, Polk, Russell, Selman, Shepard, Smith of Red River, Smith of Shelby, Stapp, Sterne, Tarrant, Taylor of Harrison, Wigfall and Williams—21. So the resolution was rejected.

Mr. Williams, chairman of the joint select committee on the part of the House, to whom was referred such portions of the message of His Excellency, the Governor, as refers to the propositions made by the United States to the State of Texas, relative to the sale of our Northwestern territory, etc., made the following report:

COMMITTEE ROOM, Austin, Nov. 20, 1850.

Hon. C. G. KEENAN,

Speaker of the House of Representatives:

The select committee of the Senate and House of Representatives to whom was referred such portions of the Governor's message as refers to the propositions made by the United States to the State of Texas relative to the establishment of our boundaries—cession of claim to territory exterior to the boundary in said propositions contained, etc., etc., have had the same under consideration, and a majority thereof, satisfied that a large majority of the people of Texas are willing to accept the said propositions according to the meaning and intent thereof; therefore a majority of said committee have instructed us to report the bill herewith accompanying and to recommend its passage, to wit:

A bill accepting the propositions made by the U. States to the State of Texas, in an act of the Congress of the U. States, approved the 9th of September, 1850, entitled "an act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries and of all her claims upon the United States, and to establish a Territorial Government for New Mexico."

Whereas, said propositions are contained in the first section of said act, in the following words and figures, to wit: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following propositions shall be, and the same hereby are, offered to the State of Texas, which when agreed to by the said State in

an act passed by the General Assembly, shall be binding and obligatory upon the United States and upon the said State of Texas : *provided*, the said agreement by the said General Assembly shall be given on or before the first day of December, eighteen hundred and fifty.

First : The State of Texas will agree that her boundary on the north shall commence at the point at which the meridian of one hundred degrees west from Greenwich is intersected by the parallel of thirty-six degrees thirty minutes north latitude, and shall run from said point due west to the meridian of one hundred and three degrees west from Greenwich, thence her boundary shall run due south to the thirty-second degree of north latitude, thence on the said parallel of thirty-two degrees of north latitude to the Rio Bravo del Norte, and thence with the channel of said river to the Gulf of Mexico.

Second : The State of Texas cedes to the United States all her claim to territory exterior to the limits and boundaries, which she agrees to establish by the first article of this agreement.

Third. The State of Texas relinquishes all claim upon the United States for liability of the debts of Texas, and for compensation or indemnity for the surrender to the United States of her ships, forts, arsenals, customhouses, customhouse revenue, arms and munitions of war, and public buildings with their sites, which became the property of the United States at the time of the annexation.

Fourth. The United States in consideration of said establishment of boundaries, cession of claim to territory, and relinquishment of claims will pay to the State of Texas, the sum of ten millions of dollars in a stock bearing five per cent. interest, and redeemable at the end of fourteen years, the interest payable half yearly at the Treasury of the United States.

Fifth. Immediately after the President of the United States shall have been furnished with an authentic copy of the act of the General Assembly of Texas accepting these propositions, he shall cause the stock to be issued in favor of the State of Texas, as provided for in the fourth article of this agreement : *Provided also*, That no more than five millions of said stock shall be issued until the creditors of the State holding bonds and other certificates of stock of Texas, for which duties on imports were specially pledged, shall first file at the Treasury of the United States, releases of all claim against the United States for or on account of said bonds or certificates, in such form as shall be prescribed by the Secretary of the Treasury and approved by the President of the United States : *Provided*, That nothing herein contained,

shall be construed to impair or qualify anything contained in the third article of the second section of the joint resolution for annexing Texas to the United States, approved March first, eighteen hundred and forty-five, either as regards the number of States that may hereafter be formed out of the State of Texas, or otherwise.

Therefore, 1st. Be it enacted by the Legislature of the State of Texas, That the said Legislature hereby agrees to and accepts said propositions; and it is hereby declared that the State of Texas shall be bound by the terms thereof, according to their true import and meaning.

2d. That the Governor of this State be, and he is hereby, requested to cause a copy of this act, authenticated under the seal of the State, to be furnished to the President of the United States by mail as early as practicable; and also a copy thereof certified in like manner, to be transmitted to each of the Senators and Representatives of Texas, in Congress, and that this act take effect from its passage.

On motion of Mr. Stapp, the rule was suspended; bill read second time.

Mr. Wigfall offered the following amendments to the bill:

Amendment No. 1. Strike out all between the words "Provided, also," of the 5th clause of the 1st section, and the words "Provided, that nothing herein contained," and insert; "That the Federal Government shall have power to retain at the Treasury of the United States as large an amount of the ten millions offered for that portion of the territory of Texas which it is proposed that she shall cede to the United States, as is necessary to pay the bonds of the State of Texas, for which her revenues arising from impost duties were pledged, according to their graded value, to be ascertained by the Comptroller of the State of Texas."

Amendment No. 2. Strike out the words "claim to," in the 2nd section, and after the word "agreement," insert: "and the U. States agree that the said territory so ceded by the State of Texas, shall not be admitted into the Union as a State, till it shall contain a population as great as that required for the election of a member of Congress, at the time the said Territory may apply for admission, and that in the meantime the laws of Texas shall prevail in said Territory, so far as the same are applicable to African slavery: but that the said Territory may be admitted into the Union as a State without reference to population, whenever the State of Texas shall, by an act of her Legislature, agree to the same."

Mr. Bryan moved that the bill and amendments be laid on the

table, and made the special order for half-past three o'clock to-morrow, upon which the yeas and nays were called and stood as follows:

Yeas: Messrs. Bryan, Clements, Crump, Franklin, Hunt, Lewis, Lott, Reynolds, Shepard, Stapp, Tarrant, Taylor of Harrison, and Wigfall—13.

Nays: Messrs. Speaker, Bogart, Burney, Charlton, Cochran, Dickson, Fields, Hardeman of Nacogdoches, Hardeman of Travis, Hendricks, Holland, Johnson, Jowers, Lloyd, McKinney, Owen, Patrick, Polk, Runnels, Russell, Scott, Selman, Shaw, Smith of Red River, Smith of Shelby, Speights, Sterne, Stewart, Taylor of Cass, Williams and Wren—31. So the motion was lost.

Mr. Tarrant moved that the bill be made the special order for half-past ten o'clock to-morrow, and that the committee on printing be authorized to contract for the printing of fifty copies of the bill and amendments.

Mr. Bogart moved a division of the question; carried.

The question first recurring upon that part of the motion making the bill the special order for half-past ten o'clock to-morrow, the yeas and nays were called, which stood as follows:

Yeas: Messrs. Bryan, Clements, Crump, Fields, Franklin, Hardeman of Travis, Holland, Hunt, Lewis, Lott, McKinney, Owen, Polk, Reynolds, Russell, Shaw, Shepard, Smith of Shelby, Stapp, Tarrant, Taylor of Cass, Taylor of Harrison, Wigfall, and Williams—24.

Nays: Messrs. Speaker, Bogart, Burney, Charlton, Cochran, Dickson, Hardeman of Nacogdoches, Hendricks, Johnson, Jowers, Lloyd, Patrick, Runnels, Scott, Selman, Smith of Red River, Speights, Sterne, Stewart, and Wren—20.

So the motion was adopted.

The question upon printing fifty copies of the bill and amendments, was then put and carried.

A message was received from the Senate, through their Secretary, Mr. Raymond, informing the House that the Senate had appointed a committee of three, consisting of Messrs. Robertson, Ward and Brashear, to enquire into the amount of the Public Debt, with instructions to report a bill providing for the filing at the Comptroller's Office of the State, within a given time, all the evidences of indebtedness against the State, with the necessary releases against the United States for her liability for said debts, and requesting the appointment of a like committee on the part of the House.

The Speaker appointed Messrs. Stapp, Taylor of Harrison, Bryan, Russell and Smith of Red River, to compose said committee on the part of the House.

Mr. Scott moved to reconsider the vote adopting the journal of Monday the 18th inst.

On motion of Mr. Franklin, the motion of Mr. Scott to reconsider, was laid on the table for the present.

On motion of Mr. Bogart, the House adjourned until half-past nine o'clock to-morrow morning.

AUSTIN, November 21, 1850.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Bee, Burney, Franklin, Gillet, Johnson, Jowers and Winfield.

Journal of yesterday read, corrected and adopted.

Mr. Russell submitted the petition of Peter Lopez, praying for relief; referred to committee on Military Affairs.

Mr. Selman submitted the petition of the heirs of Sion and Sarah Blythe, praying for relief; referred to the committee on Private Land Claims.

Mr. Bryan submitted the petition of Reuben R. Brown, praying for a grant of land; referred to the committee on Private Land Claims.

Mr. Bryan submitted the petition of sundry citizens of Brazoria county, praying for an act of incorporation for certain purposes; referred to the committee on Internal Improvements.

Mr. Lewis submitted the petition of D. C. Ogden and J. S. Sutton, praying for relief in a certain case; referred to the committee on State Affairs.

Mr. Shepard submitted the petition of the Grand Jury of Washington county, praying the passage of a law quieting disputed jurisdictions; referred to the committee on State Affairs.

Mr. Bogart introduced a bill to authorize the settlers in Peters' Colony to intervene in suit or suits, in reference to any matter connected with said colony contracts, where they have an interest; read first time.

Mr. Franklin introduced a bill to be entitled an act to amend the first section of an act, entitled an act to incorporate the Galveston and Brazos Navigation Company; read first time; on motion, rule suspended, bill read second time, and referred to the committee on Internal Improvements.

Mr. Lloyd introduced a bill to be entitled an act, to amend an act entitled an act to organize the Supreme Court of the State of Texas; read first time.